IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3829 of 1988

For Approval and Signature:

HON'BLE MR.JUSTICE AKIL KURESHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SHANTAPPA H BHANDARI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 3829 of 1988

NOTICE UNSERVED for Petitioner No. 1-2

MS REETA CHANDARANA AGP for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE AKIL KURESHI

Date of decision: 14/10/2004

ORAL JUDGEMENT

In this petition since the learned advocate appearing for the petitioners had expired, this Court had issued the notice to the petitioners on 13th September,

2004 for engaging another advocate making it returnable on 14th October, 2004. The notices issued to the petitioners have returned unserved. The learned AGP, Ms Reeta Chandarana, appearing for the respondents, on instructions, states that petitioner no.1 had expired way back on 10th February, 1992 and petitioner no.2 had also expired on 21st November, 1994. So far no steps have been taken by the heirs of deceased petitioners to bring themselves on record to prosecute the petition. This Court has, therefore, no choice but to dispose of the petition for want of prosecution. Petition is disposed of accordingly. Rule is discharged. No order as to costs.

(Akil Kureshi, J.)

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